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**OCT 01 2001**

**OFFICE OF PETITIONS**

In re Application of  
Norman D. Cholewsinky  
Reissue Application No. 09/369,756 :  
Filed: August 6, 1999 :  
For: Vehicle Entertainment System :

DECISION REFUSING STATUS  
UNDER 37 CFR 1.47(a)

This is in response to the "Renewed Petition Under 37 CFR 1.47(b)," filed August 31, 2001.

The petition is dismissed.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(b)," and should only address the deficiencies noted below. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a).

**The reply to this decision must include an oath or declaration executed either by the non-signing inventor in compliance with 37 CFR 1.63, or by the Rule 1.47 applicant, in compliance with 37 CFR 1.63 and 1.64, as required in the instant decision as well as the decisions dated November 9, 2000 and June 26, 2001.**

The papers filed August 31, 2001 include an unsigned declaration, and a statement that the inventor has been presented with the application papers, but that he has continued to refuse to sign the declaration.

A grantable petition under 37 CFR 1.47(b) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration; (2) an acceptable oath or declaration signed by the Rule 1.47(b) applicant on behalf of the applicant and the non-signing inventor; (3) the petition fee; (4) a statement of the last known address of the non-signing inventor; (5) proof of proprietary interest; and (6) proof of irreparable damage. Applicant lacks items (2) set forth above.

As to item (2), an oath or declaration for the patent application in compliance with 37 CFR 1.63 and 1.64 has not been presented. An oath or declaration in compliance with 37 CFR 1.63 and 1.64 signed by the Rule 1.47 applicant on behalf of Norman D. Cholewinsky is REQUIRED. See MPEP 409.03(b).

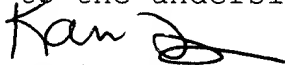
Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

By FAX: (703) 308-6916  
Attn: Office of Petitions

By hand: Crystal Plaza Four, Suite 3C23  
2201 South Clark Place  
Arlington, VA 22202

Telephone inquiries related to this decision should be directed to the undersigned at (703) 306-3159.



Karin Tyson  
Senior Legal Advisor  
Office of Patent Legal Administration  
Office of the Deputy Commissioner  
for Patent Examination Policy

Enclosure: MPEP 409.03(b)